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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/333,806	06/15/1999	SHMUEL SHAFFER	99-P-7652-US	4529

7590

07/15/2003

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
186 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER

CALLAHAN, PAUL E

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 07/15/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/333,806

Applicant(s)

SHAFFER

Examiner

Paul E. Callahan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 02 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Claims 1-18 are pending in this application and have been examined.

Response to Arguments

2. Applicant's arguments filed 4-25-03 have been fully considered but they are not persuasive.

The applicant argues in traverse of the rejections of claims 1-18 by attempting to distinguish the claimed invention from the teachings of the prior art applied: Miller et al. US Patent 5,550,968. The Applicant states: "...the present invention relates to a Telephony over Lan (ToL) system having a graphical user interface (GUI) wherein an authorized user or guest may be locked within a ToL window having full access to the ToL features but denied access to other parts of the computer system." The Applicant avers that Miller fails to teach these features.

The Examiner counters this argument by noting that not all of the features mentioned by the Applicant are found in the independent claims 1, 7 and 13. For example the claims only contain the limitation of denying access to features of the computer external to the ToL window, not that the user or guest may be "locked" inside a ToL window and then still have access to all of the features contained within the ToL window. The applied prior art does indeed teach denial of access to computer functions external to a window, as does the claimed invention.

The Applicant's challenge to the taking of Official Notice does not constitute a proper challenge. The feature of which Official Notice was taken was that of a ToL window displayed on the CRT of a computer, not any security feature of the ToL window as the Applicant alleges.

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Therefore the statement of Official Notice may be taken as admitted prior art by the Applicant as per MPEP sec. 2144.03[R-1].

Claim Rejections

3. Claims 1-18 stand rejected under the judicially created doctrine of double patenting. The Applicant has not offered any argument or evidence in traverse of these rejections although a timely filed Terminal Disclaimer in compliance with 37 CFR 1.32(c) may be used to overcome these rejections. Since no changes have been made to the language of the claims by the latest amendment no changes are necessary to the double patenting rejection. The text of the rejection will not be repeated herein but instead is herein incorporated in its entirety by reference to the previous Office Action in the case. The Applicant is directed to that Office Action for the text of those rejections.

4. Claims 1-18 stand rejected under 35 USC 103(a) as being obvious over Miller et al. US Patent 5,550,968 and Official Notice. No changes have been made to the language of the claims. Therefore no changes have been necessitated in the rejections of them. The text of the rejection will not be repeated herein but instead is herein incorporated in its entirety by reference to the previous Office Action in the case. The Applicant is directed to that Office Action for the text of those rejections.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E. Callahan whose telephone number is (703) 305-1336. The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse, can be reached on (703) 308-4789. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 Official Faxes, (703) 746-7240 Unofficial Faxes, and (703) 746-7238 After Final Faxes.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

PEC
7/10/03

Paul Callahan

Justin Darrow
JUSTIN T. DARROW
PRIMARY EXAMINER